

Appl. No. : 10/695,269
Filed : October 28, 2003

COMMENTS

In response to the Office Action dated March 15, 2007, Applicant respectfully submits the aforementioned amendments and the following comments.

Matters of form

Applicant have amended Claims 37 and 39 to correct the informalities noted by the Examiner.

Claim rejections

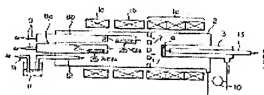
Claims 37 and 42-45 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Ogasawara (JP 08-158053). Claims 38, 40 and 41 stand rejected under 35 U.S.C. 103(a) as obvious over Ogasawara alone or in combination with Tomosawa (JP-06-232048). Claim 39 stands rejected as obvious over Ogasawara taken in view of Schultz (3,801,294). Claims 37-45 stand rejected as under 103(a) as obvious over Tasaki (USPN 6,149,975) in view of Ogasawara and Schultz. Claims 40-41 stand rejected under 103(a) as obvious over Tasaki in view of Ogasawara and Schultz and in further view of Tomosawa.

Applicant respectfully disagrees with the rejection of these claims. Nevertheless, to advance prosecution, Applicant has amended Claim 37 as outlined below. Applicant reserves the right to pursue Claims 37-45 in their original or similar form in a continuing application.

As amended, Claim 37 now includes the limitations of Claim 42 (which has been canceled and thus recites, in part; "a first container having an opening and containing liquid or solid reactant matter; a lid configured to cover the opening of said first container; a second container having a gas tight container wall separate from the lid, the gas container wall enclosing the first container and defining a gas space around the first container and above the lid" and "at least one inlet conduit extending through the at least one inlet and comprising an inlet opening; at least one outlet conduit extending through the at least one outlet and comprising an outlet opening; wherein the opening of the first container opens into the gas space enclosed by the second container and around the first container. the lid comprises a mechanical filter to remove impurities from gas vaporized from the liquid or

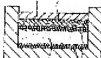
solid matter contained therein and wherein the inlet opening of the at least one inlet conduit is positioned below the outlet opening of the at least one outlet conduit.”

In contrast, Ogasawara discloses a boat 21, which is positioned within a silica tube 8a.



Accordingly, Ogasawara does not disclose, teach or suggest an arrangement in which the inlet opening of the at least one inlet conduit is positioned below the outlet opening of the at least one outlet conduit. In addition, there is no motivation to modify the boat and tube arrangement disclosed by Ogasawara such that it would include such an arrangement. Indeed, such a modification would radically alter the configuration disclose by Ogasawara.

In addition, in Ogasawara, there is no lid or “a vapor space defined between the liquid or solid reactant matter and the lid.” Instead, there is a weight and cotton material that lies directly on top of the powder 25.



With respect to Tomosawa, this reference also does not disclose a lid that is separate from the gas tight container wall of the second container nor does it disclose an arrangement wherein the inlet opening of the at least one inlet conduit is positioned below the outlet opening of the at least one outlet conduit. Moreover, it would not be obvious to modify Tomosawa to have such a wall because the inlets and outlets 10, 12 in the side wall of the container are configured to provide parallel flow over the solid reactant.

With respect to the Schultz, this reference is merely cited for the vaporizing of $ZrCl_4$ and does not cure the deficiencies cited above.

With respect to the rejection of independent Claim 37 over Tasaki in view Of Ogasawara, Applicant notes that Tasaki discloses a dish in which a powder of an organic potassium complex is positioned. *Id.* Before use, this powder is heated to a temperature that is higher than the melting point of the powder. *See* Col. 3, lines 45-50. The powder is

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then cooled. *Id.* This causes the powder to form a solidified body 6 in the form of a plate or film. *Id.* Thus, there is no motivation to add a lid as recited in amended Claim 37 to the container 2 because a solid mass is stored on the container 2. Moreover, as noted above, even when combined with Ogasawara the combination would not have a lid or "a vapor space defined between the liquid or solid reactant matter and the lid."

For at least the reasons set forth above, Applicants submits that the pending claims, as amended, are in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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